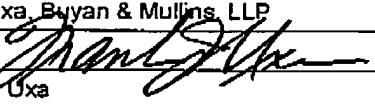


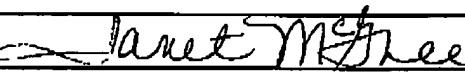
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| TRANSMITTAL FORM | | Application Number | 10/511,790 |
| (to be used for all correspondence after initial filing) | | Filing Date | June 17, 2005 |
| | | First Named Inventor | Kelly et al. |
| | | Group Art Unit | 1794 |
| | | Examiner Name | Corbin, Arthur L. |
| Total Number of Pages in This Submission | 15 | Attorney Docket Number | D-3173 |

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|---|--|--|--------------------------|
| ENCLOSURES (check all that apply) | | | |
| <input type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below) | |
| | | | <input type="checkbox"/> |
| Remarks | | | |

| | |
|---|---|
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
| Firm Name | Stout, Uxa, Buyan & Mullins, LLP |
| Signature |  |
| Printed Name | Frank J. Uxa |
| Date | July 29, 2008 |
| | Reg. No. 25,612 |

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| Typed or printed name | Janet McGhee |
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D-3173

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/511,790 Confirmation No. 6291
Applicant : Kelly et al.
Filed : June 17, 2005
Title : ALGINATE OR LOW-METHOXY PECTATE GEL

TC/A.U. : 1700/1794
Examiner : Corbin, Arthur L.

Docket No. : D-3173
Customer No. : 33197

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REQUEST FOR RECONSIDERATION UNDER RULE 116

Sir:

The above-identified application has been carefully reviewed in light of the Examiner's communication mailed May 29, 2008, which included a final rejection of all claims presented. Applicant respectfully requests that this REQUEST FOR RECONSIDERATION UNDER RULE 116 be entered and considered on its merits.

CLAIMS 26-28, 33-39, 41 AND 42 ARE NOVEL OVER WOOD

Claims 26-28, 33-39, 41 and 42 have been rejected under 35 U.S.C. 102(b) as being anticipated by Wood. For the following reasons, applicant traverses this rejection.